

Serial No. 10/090,939

Page 11 of 13

**REMARKS**

The Examiner did not indicate in the February 28, 2007 Advisory Action whether the amendments filed in the Response dated February 6, 2007 have been entered. Absent clear indication that the amendments have been entered, Applicants re-submit the amendments with additional amendment to claim 18 to place the present application in condition for allowance.

RECEIVED  
CENTRAL FAX CENTER  
MAR 06 2007

Applicants cancel claims 3 and 12. Claims 1-2, 4-11, and 13-18 remain pending in the application. Applicants amend the specification and claims 7-8 and 17 for minor corrections, amend claims 1, 9, and 18 to incorporate features that correspond to those of claim 3, amend claim 10 to incorporate the features of canceled claim 12, and amend claim 16 to independent form. No new matter has been added.

Applicants, again, acknowledge with appreciation the Examiner's finding that claims 3, 12, and 16 contain allowable subject matter, and respectfully submit that the provided reasons for allowability include only the Examiner's non-exhaustive interpretations—which should in no way limit the scope of the allowed claims. Accordingly, Applicants amend independent claims 1, 9, and 18 to incorporate features that correspond to those of allowable claim 3, amend independent claim 10 to incorporate the features of allowable claim 12, and amend allowable claim 16 to independent form.

The Examiner objected to the specification and claims 10-18 for apparent informalities, which Applicants correct by amendment.

Claims 7-8 and 17 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

84198501\_1.DOC

Serial No. 10/090,939

Page 12 of 13

Applicants amend claims 7-8 to clearly recite the feature "do not perform route switching if a fault bypass route has a section in which said non-preemptible channel has been established."

And Applicants amend claim 17 to clearly recite the feature "when line switching for the BLSR restoration takes place at ends of a path as the fault bypass control condition." Accordingly, Applicants respectfully request that the Examiner withdraw the § 112, ¶ 2 rejection.

Claims 1-2, 4-6, 9-11, 13-15, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,950,409 to Kettinger in view of U.S. Patent No. 6,934,248 to DeBoer et al.

For expeditious prosecution, Applicants amend independent claims 1, 9, and 18 to incorporate features that correspond to those of allowable claim 3, and amend independent claim 10 to incorporate the features of allowable claim 12. Accordingly, Applicants respectfully request that the Examiner allow claims 1-2, 4-11, and 13-18.

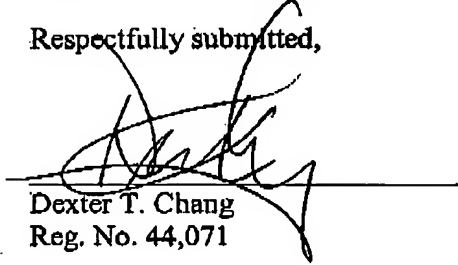
In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

84198501\_1.DOC

Serial No. 10/090,939  
Page 13 of 13

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Dexter T. Chang  
Reg. No. 44,071

CUSTOMER NUMBER 026304  
Telephone: (212) 940-6384  
Fax: (212) 940-8986 or 8987  
Docket No.: FUJR 19.495 (100794-00207)  
DTC:bf

84198501\_1.DOC